

Congress of the United States

House of Representatives

Washington, DC 20515

NYDIA M. VELAZQUEZ

7TH DISTRICT, NEW YORK

April 13, 2018

The Honorable Cyrus R. Vance, Jr.
District Attorney of New York County
One Hogan Place
New York, NY 10013

Dear District Attorney Vance:

I was deeply alarmed to read recent media reports describing how workers had discarded into dumpsters the belongings of displaced tenants from 85 Bowery. According to news stories, the tenants, who have been residing offsite since January 18 to accommodate city-mandated work and asbestos abatement in the building, had agreed to have their personal items placed into temporary storage. They arrived this week to find many belongings discarded into a dumpster outside the building. Residents reportedly had to sift through the dumpster to retrieve medicine, books and even money. Not only was this behavior inhumane, but it potentially runs afoul of New York City law.

This latest sequence of events is particularly troubling as it comes after years of dubious behavior on the part of 8385 Bowery, LLC, and its owner Joesph Betesh. The tenants of these buildings and many community members have long held that Mr. Betesh intends to force residents out of the building with the ultimate goal of converting the units into market rate apartments.

For years, 8385 Bowery, LLC allowed the buildings to fall into disrepair. Finally, in 2016, the company claimed that it needed to evict families from their homes in these buildings to address structural deficiencies. In January of this year, the city issued a vacate order for 85 Bowery, requiring the building owner to conduct significant repairs on the property. Only after significant legal actions were tenants eventually afforded temporary lodging while repairs were to be completed with the promise that they could return to their homes. In March, while the city-ordered work was being conducted, asbestos was discovered, just days before tenants were supposed to be allowed home, further delaying their return.

I remain deeply concerned that 8385 Bowery, LLC continues operating in a manner aimed ultimately at displacing these tenants, rather than living up to its legal obligation of appropriately maintaining these properties.

As you know, New York's Housing Maintenance Code Section 27-2004 defines tenant harassment as "any act or omission by or on behalf of an owner that causes or is intended to cause any person lawfully entitled to occupancy of a dwelling unit to vacate such dwelling unit or to surrender or waive any rights in relation to such occupancy." The code further specifically identifies "removing the possessions of any person lawfully entitled to occupancy of such dwelling unit" as an example of such harassment.

Given the lengthy troubled history of tenant-landlord relations at this property, I am concerned that this latest incident may potentially constitute tenant harassment. I therefore request that your office investigate this latest incident and determine whether 8385 Bowery, LLC has engaged in harassment.

The residents of 83 and 85 Bowery have suffered long enough. It is important that, as they await the return to their homes, their legal rights are fully respected. I appreciate your office looking into this matter in furtherance of this goal.

Thank you in advance for your prompt attention to this timely manner.

Sincerely,



Nydia M. Velázquez
MEMBER OF CONGRESS